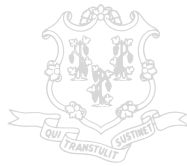


OFFICE OF LEGISLATIVE RESEARCH
PUBLIC ACT SUMMARY



PA 11-43—sHB 6390

Higher Education and Employment Advancement Committee

AN ACT CONCERNING ACCESS TO POSTSECONDARY EDUCATION

SUMMARY: This act extends in-state tuition benefits to post-secondary students, including those without legal immigration status, who reside in Connecticut and meet certain criteria. By law, with limited exceptions, eligibility for in-state tuition is based on an applicant's domicile, that is, his or her "true, fixed and permanent home" and the place where he or she intends to remain and return to when he or she leaves.

Under the act, a person, except a nonimmigrant alien (someone with a visa permitting temporary entrance to the country for a specific purpose), qualifies for in-state tuition if he or she:

1. resides in Connecticut;
2. attended any educational institution in the state and completed at least four years of high school here;
3. graduated from a high school or the equivalent in Connecticut; and
4. is registered as an entering student, or is currently a student at, UConn, a Connecticut State University, a community-technical college, or Charter Oak State College.

By law, "resides" means continuous and permanent physical presence within the state. Residence is not affected by temporary absence for short periods of time.

People without legal immigration status who meet the above criteria must file an affidavit with the college stating that they have applied to legalize their immigration status or will do so as soon as they are eligible to apply. (Currently, such persons who apply for student visas or lawful permanent resident status are subject to deportation under federal law. Thus, they are not eligible to apply to legalize their status unless federal law is changed to allow them to do so.) Under federal law, an alien not lawfully present in the U.S. is eligible for certain state and local public benefits, including postsecondary education benefits, only through the enactment of a state law that affirmatively provides for such eligibility (8 USC § 1621(d)).

EFFECTIVE DATE: July 1, 2011

OLR Tracking: TA:JM:PF:ro